



02-11-05

09/900, 927.

Patent No. 6,838,398

JX

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Repp, Jilene A.  
Yogerst, Francis A.

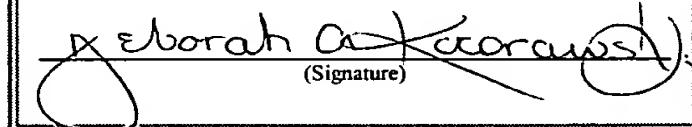
Title: QUILTING METHOD AND  
SYSTEM

Patent. No.: 6,838,398 B2

Issue Date: 01/04/2005

Examiner: Salvatore, Lynda M.

Art Unit: 1771

<b>CERTIFICATE OF EXPRESS MAILING</b>		
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.		
EV 459164861 US (Express Mail Label Number)	February 10, 2005 (Date of Deposit)	
Deborah A. Kocorowski (Printed Name)		
		(Signature)

Attention: **CERTIFICATE OF CORRECTION BRANCH**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate  
FEB 16 2005  
of Correction

TRANSMITTAL

Transmitted herewith are the following documents for the above-identified patent.

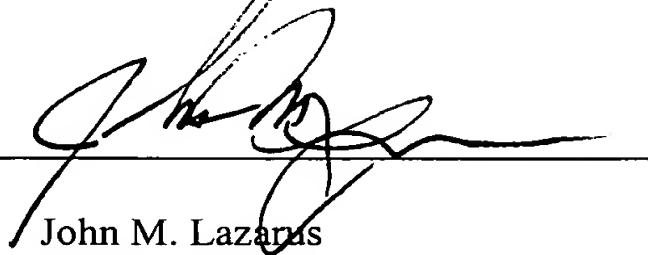
- Request For Certificate Of Correction Pursuant To 37 C.F.R. § 1.322(a)  
(2 pages).
- Certificate Of Correction, Form PTO-1050, in duplicate (2 pages).
- Copy of the Notice of Allowance and Fee(s) Due and Notice of Allowability with Examiner's Amendment (7 total pages).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By



John M. Lazarus  
Attorney for the Applicants  
Registration No. 48,367

Date FEBRUARY 10, 2005

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (414) 297-5591  
Facsimile: (414) 297-4900



Patent No. 6,838,398

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Repp, Jilene A.  
Yogerst, Francis A.

Title: QUILTING METHOD AND  
SYSTEM

Patent No.: 6,838,398 *B2*

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EV 459164861 US February 10, 2005  
(Express Mail Label Number) (Date of Deposit)

Deborah A. Kocorowski  
(Printed Name)

*Deborah A. Kocorowski*  
(Signature)

Attention: **CERTIFICATE OF CORRECTION BRANCH**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION**  
**PURSUANT TO 37 C.F.R. § 1.322(a)**

Enclosed (in duplicate) is a Certificate of Correction, Form PTO-1050, for United States Patent Number 6,838,398 issued January 4, 2005. See 37 C.F.R. § 1.322(a); 35 U.S.C. § 254. The following errors appear in the issued patent:

**IN THE CLAIMS**

The exact claim and line number where the errors in the issued patent are shown correctly in the application file are:

Claim 1 (col. 4, line 61) after "of the quilt by" delete "the" and insert --an--.

Claim 14 (col. 5, line 29) after "formed of the batting" delete "an" and insert --and--.

Claim 33 (col. 6, line 24) after "a composite member formed" delete "of the" and insert --of the--.

Claim 33 (col. 6, line 27) after "wherein the batting" delete "cosists of contton" and insert --consists of cotton--.

Remarks

Claim 1

The purpose of the correction in Claim 1 is to correct an error that was inadvertently introduced by Examiner's Amendment on October 17, 2003 (copy attached). The correction is the change of the word "the" to the word "an" where the element "adhesive" is introduced in the claim to provide clear antecedent basis. The Applicants believe that the error is of a minor character and that the correction does not constitute new matter or require reexamination.

Claims 14 and 33

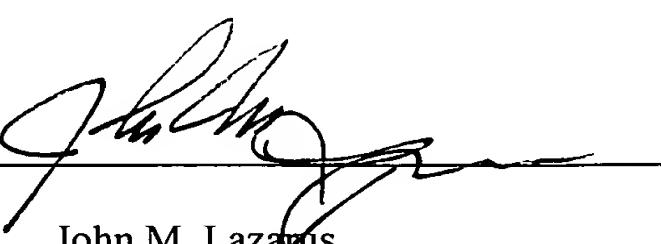
The purpose of the corrections in Claims 14 and 33 is to correct printing errors of a typographical nature. Correction of the identified printing errors does not constitute new matter or require reexamination.

The Applicants respectfully request that the enclosed Certificate of Correction be approved under 37 C.F.R. § 1.322.

Although the Applicants believe that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees to Deposit Account No. 06-1447 that may be required for this Request.

Respectfully submitted,

Date February 10, 2005

By 

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (414) 297-5591  
Facsimile: (414) 297-4900

John M. Lazarus  
Attorney for the Applicants  
Registration No. 48,367

UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

PATENT NO. : 6,838,398 B2

DATED : 01/04/2005

INVENTOR(S) : Jilene A. Repp; Francis A. Yogerst

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

## In the Claims:

Claim 1 (col. 4, line 61) after "of the quilt by" delete "the" and insert --an--.

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Claim 33 (col. 6, line 27) after "wherein the batting" delete "cosists of contton" and insert --consists of cotton--.

MAILING ADDRESS OF SENDER:

Customer Number: 26371

PATENT NO. 6,838,398

No. of additional copies

John M. Lazarus, Esq.

Foley &amp; Lardner LLP

777 E. Wisconsin Avenue

Milwaukee, WI 53202-5306



Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comment on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it displays a valid OMB control number.  
(Also Form PTO-1050)

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

PATENT NO : 6,838,398 *B2*

DATED : 01/04/2005

INVENTOR(S) : Jilene A. Repp; Francis A. Yogerst

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Claims:

Claim 1 (col. 4, line 61) after "of the quilt by" delete "the" and insert --an--.

Claim 14 (col. 5, line 29) after "formed of the batting" delete "an" and insert --and--.

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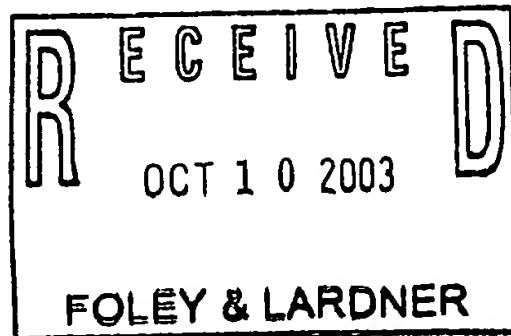


JMLA  
n4313-102

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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NOTICE OF ALLOWANCE AND FEE(S) DUE

26371 7590 10/07/2003  
FOLEY & LARDNER  
777 EAST WISCONSIN AVENUE  
SUITE 3800  
MILWAUKEE, WI 53202-5308



EXAMINER  
SALVATORE, LYNDA  
ART UNIT  
1771  
PAPER NUMBER  
DATE MAILED: 10/07/2003

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,927	07/09/2001	Jilene A. Repp	1295-00044	8912

TITLE OF INVENTION: QUILTING METHOD AND SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	01/07/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

**ISSUE FEE DUE** 01/07/2004

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

10/10/03  
K

10/10/03  
K

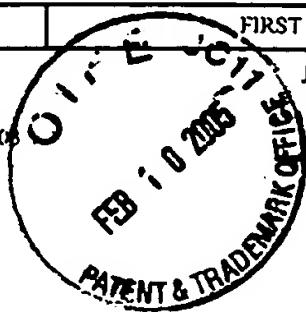


# UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,927	07/09/2001	Jilene A. Rapp	1295-00044	8912
26371	7590	10/07/2003		
FOLEY & LARDNER				EXAMINER
777 EAST WISCONSIN AVENUE				SALVATORE, LYNDA
SUITE 3800				
MILWAUKEE, WI 53202-5308				ART UNIT
				PAPER NUMBER
				1771

DATE MAILED: 10/07/2003



## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



# UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,927	07/09/2001	Jilene A. Repp	1295-00044	8912
26371	7590	10/07/2003		
FOLEY & LARDNER 777 EAST WISCONSIN AVENUE SUITE 3800 MILWAUKEE, WI 53202-5308			EXAMINER	SALVATORE, LYNDA
			ART UNIT	PAPER NUMBER
			1771	

DATE MAILED: 10/07/2003

## Notice of Fee Increase on October 1, 2003

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2003, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there will be an increase in fees effective on October 1, 2003. See Revision of Patent Fees for Fiscal Year 2004; Final Rule, 68 Fed. Reg. 41532, 41533, 41534 (July 14, 2003).

The current fee schedule is accessible from (<http://www.uspto.gov/main/howtofees.htm>).

If the fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due" but not the correct amount in view of the fee increase, a "Notice of Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice of Pay Balance of Issue Fee," if the response to the Notice of Allowance is to be filed on or after October 1, 2003 (or mailed with a certificate of mailing on or after October 1, 2003), the issue fee paid should be the fee that is required at the time the fee is paid. If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously-paid issue fee should be paid. See Manual of Patent Examining Procedure, Section 1308.01 (Eighth Edition, August 2001).

Effective October 1, 2003, 37 CFR 1.18 is amended by revising paragraphs (a) through (c) to read as set forth below.

### Section 1.18 Patent post allowance (including issue) fees.

(a) Issue fee for issuing each original or reissue patent, except a design or plant patent:

By a small entity (Sec. 1.27(a))..... \$665.00  
By other than a small entity..... \$1,330.00

(b) Issue fee for issuing a design patent:

By a small entity (Sec. 1.27(a))..... \$240.00  
By other than a small entity..... \$480.00

(c) Issue fee for issuing a plant patent:

By a small entity (Sec. 1.27(a))..... \$320.00  
By other than a small entity..... \$640.00

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

**Notice of Allowability**

FEB 10 2005

PATENT &amp; TRADEMARK OFFICE

Application No.	Applicant(s)
09/900,927	REPP ET AL.
Examiner	Art Unit
Lynda M Salvatore	1771

*— The MAILING DATE of this communication appears on the cover sheet with the correspondence address—*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to September 5th, 2003.
2.  The allowed claim(s) is/are 21-23, 26, 28, 29, 31, 32, 34-37, 39 and 67-102.
3.  The drawings filed on 09 July 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

5.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a)  The translation of the foreign language provisional application has been received.
6.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8.  CORRECTED DRAWINGS must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No. \_\_\_\_\_.
  - (b)  including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

<input type="checkbox"/> Notice of References Cited (PTO-892)	<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	<input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.
<input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____.	<input checked="" type="checkbox"/> Examiner's Amendment/Comment
<input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	<input type="checkbox"/> Examiner's Statement of Reasons for Allowance
	<input type="checkbox"/> Other

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment and accompanying remarks transmitted via fax on September 5th, 2003, have been carefully considered and entered. Independent claims 21,67, and 86 and dependent claims 22,23,26,28,29,31,32,34-37,68-85, and 87-102 have been amended as requested.
2. Applicant's amendments and accompanying remarks with regard to claims 67,84, 86 and 102 are found sufficient to over come the claim objections and rejections under 35 U.S.C. 112, second paragraph as set forth in sections 6-12 of the Office Action dated August 15th, 2003. Therefore, these objections and rejections are withdrawn. In addition, Applicant's amendments to claims 87-102 are found sufficient to over come the 35 U.S.C. 112, first paragraph rejection set forth in section 13 of the Office Action dated August 15th, 2003. Thus, this rejection is withdrawn. Applicant's amendments are also found to overcome the rejection under 35 U.S.C. 102(b) set forth in section 15 of the Office Action dated August 15th, 2003. Thus, this rejection is withdrawn. However, despite is advance Applicant's amendments are not found to sufficiently clear to patently distinguish claims 21-23,26,28,29,31,32, and 34-37 over the prior art of record. Specifically, the amendment to claim 21 does not render this claim definite.
3. As set forth in section 16 of the Office Action dated August 15th, 2003, independent claim 21 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph set forth in section 8 of the Office Action dated August 15th, 2003. Accordingly, during a telephone interview with John Lazarus, on September, 17th, 2003

an agreement to re-write claim 21 such that it overcomes the said 35 U.S.C. 112, second paragraph rejection was reached and will be set forth in an Examiners amendment.

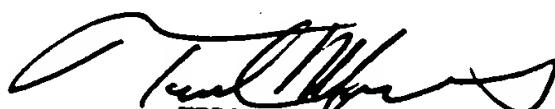
*Conclusion*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynda M Salvatore whose telephone number is 703-305-4070. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 703-308-2414. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

ls  
September 21<sup>st</sup>, 2003



TERREL MORRIS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Lazarus on September 17<sup>th</sup>, 2003.

2. **IN THE CLAIMS**

In claim 21, beginning on line 14, after the word "by" delete - -an adhesive connection at the opposing faces that is removable- - and replace with "the adhesive at the opposing faces, wherein the adhesive is removable from the quilt"

In claim 28, at the end of line 1, after the word "adhesive" insert ", provides a" and on line 2, after the word "connection" delete - - is- -

In claim 37, on line 1, after the word "claim" delete - -21- - and replace with "28"

Cancel non-elected claims 41-66